



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*United States District Courthouse
300 Quarropas Street
White Plains, New York 10601*

May 12, 2021

BY ECF

The Honorable Nelson S. Román
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: *United States v. Helbrans et al., 19 Cr. 497 (NSR)*

Dear Judge Román:

The Government respectfully writes to respond to the Court's May 7, 2021 and May 10, 2021 orders, to provide additional information regarding the above-captioned defendants' access to legal research resources, word processing, and printing capabilities at Westchester County Jail ("WCJ"), and to provide a list of discovery already produced. Based on conversations with Leandro Diaz, the Deputy Commissioner of Operations at WCJ, our Office has been advised of the following:

- **Access to Legal Resources:** Pursuant to N.Y. Comp. Codes R. & Regs. Title 9 § 7031.4, WCJ is required to provide inmates with access to various legal resources and treatises; a legal dictionary; a general treatise on legal research; and various sections of the U.S. federal code. In addition to complying with these requirements, WCJ also provides inmates with access to the Casemaker legal research system (<https://public.casemakerlegal.net/>), which provides the defendants with access to federal case law, treatises, secondary sources, and other legal resources. (*See* Dkt. No. 235 at 16). WCJ also provides inmates with the following resources: (i) West's United States Code Annotated; (ii) West's federal forms; (iii) Wright & Miller Federal Practice & Procedure; (iv) West's Federal Digest; (v) Boston & Manville, Prisoners' Self-Help Litigation Manual; and (vi) A Jailhouse Lawyer's Manual, Vols I & II, 8th Ed. The defendants can also avail themselves of the assistance of WCJ's full-time law librarian, who has full access to Westlaw online and responds to inmate requests for research materials and assistance accordingly. The defendants also continue to have regular access to their stand-by attorneys and other outside individuals to conduct legal research and file motions. In communicating with their attorneys or outside individuals, the defendants are able to conduct video calls with screen sharing capabilities. The defendants' block (which is the cohort of inmates housed in a particular part of the jail) has up to two hours of law library access a day.

- **Access to Word Processing and Printing Capabilities:** WCJ allows inmates to print case law and other legal reference materials from the law library. WCJ will make an exception to its standard policy and allow the defendants to have access to a typewriter in their cells in order to draft motions or other legal work product. Furthermore, once the Government obtains appropriate laptops from defense counsel and standby counsel, and the devices are sent to WCJ, the defendants will also have access to a word processor on those computers. WCJ has indicated that it is willing to make an exception for the defendants and permit them to retain their laptops in their cells. The inmates will thus be able to access discovery materials from their cells and type up any motions using their typewriter. However, WCJ will not permit the defendants to have access to laptops with usable ports (*i.e.*, to allow the laptops to connect to printers or USB drives) due to security risks and the risk of these laptops being used to view or transmit contraband.

With respect to the Court's request for a list of produced discovery, the Government has made the following productions to all defendants in the case¹:

- August 15, 2019 Production (USAO_000001-USAO_008288)
 - Charging Instruments
 - Communications with the Government's Cooperating Witness
 - Documents regarding Lev Tahor
 - Images and Videos
 - Jail Calls, Emails, and Records
 - Audio Recordings
 - Evidence Relating to Incident on Nov. 8, 2018 at Consulate in Mexico
 - New York State Police Records
 - Passport Records
 - Airline Records
 - Family Court Records
 - Financial Records
 - Medical Records
 - Phone Records
 - Rental Car Records
 - Store Records
 - Evidence Relating to the Second Kidnapping Attempt
 - Surveillance Reports
 - Travel Summaries
 - Search Warrants/Supporting Documents, and Search Warrant Returns
 - Phone and Device Downloads
- April 22, 2020 Production (USAO_008289 through USAO_009255)
 - Case Reports

¹ As a convenience for the defendants, the Government intends to load all of the discovery materials onto the laptops, provided the laptops have sufficient memory.

- Documents Regarding an MLAT with Mexico
- Miscellaneous Records
- Additional Translations
- Additional phone and device downloads
- July 16, 2020 Production (USAO_009256 through USAO_009400)
 - Rosner Letters
 - Additional Translations
- July 20, 2020 Production (USAO_009401 through USAO_009628)
 - Additional Translations
- July 28, 2020 Production (USAO_009642 through USAO_009849)
 - Additional MLAT Documents
 - Additional FBI Mexico Documents
- August 6, 2020 Production (USAO_009850 through USAO_009932)
 - Additional Yiddish and Spanish Translations
- October 16, 2020 Production (USAO_009933 through USAO_012096)
 - Additional Yiddish and Hebrew Translations
 - WhatsApp Extractions for Several Previously Produced devices
- January 27, 2021 Production (USAO_012097 through USAO_012113)
 - Additional Documents Recently Received from Mexico and the Corresponding Translations

- April 26, 2021 Production (USAO_012114 through USAO_018536)
 - Additional Financial Records (Card Connect, JPMC, RBC Bank and Santander Bank)
 - Additional Documents Relating to Guatemala.
 - Additional Translations

Respectfully submitted,

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cc: Defense Counsel and Standby Counsel (by ECF)
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